

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN J. KORESKO, V and PENNMONT  
BENEFITS SERVICES, INC.,

Plaintiffs,  
v.

JEFF BLEIWEIS, RAYMOND G. ANKNER,  
CJA AND ASSOCIATES, INC., THE  
TRAVELERS LIFE AND ANNUITY  
COMPANY

Defendants.

Civil Action No. 2:04-cv-00769

**APPLICATION OPPOSING ADMINISTRATIVE DISMISSAL  
PURSUANT TO L.CIV.R. 41.1(a)**

Plaintiffs, John J. Koresko, V and Pennmont Benefit Services, Inc., by and through their counsel Woodcock Washburn LLP, hereby respond to the Court's notice of administrative dismissal filed October 8, 2008, and respectfully request that the Court order that the matter not be dismissed. Plaintiffs submit that good cause is shown in that they have not been actively represented by counsel in this matter since March 30, 2007, and have only retained the undersigned counsel, Woodcock Washburn, to represent them in this action within the last few days.

Plaintiffs request that new counsel be permitted a period of 60 days so that counsel might: (a) sign the Stipulated Protective Order entered by the Court on August 6, 2004, so that counsel can review all documents designated "Confidential" and/or "Confidential- Attorneys' Eyes Only" obtained by the parties in this litigation; (b) obtain the file from Plaintiffs' previous counsel; (c) review and analyze the file materials generated during more than four years of

litigation; and (d) ascertain whether additional discovery is needed or whether the matter is ready to proceed to trial. Plaintiffs accordingly request that a scheduling conference be held in this matter during the week of January 5, 2009, to schedule further discovery proceedings or trial as appropriate.

Dated: November 5, 2008

WOODCOCK WASHBURN LLP

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Attorneys for plaintiffs John J. Koresko, V  
and PennMont Benefit Services, Inc.

**CERTIFICATE OF SERVICE**

I, Chad A. Rutkowski, hereby certify that on this 5<sup>th</sup> day of November, 2008, I caused a true and correct copy of the foregoing Application Opposing Administrative Dismissal, to be served via CM/ECF, e-mail and first class mail upon attorneys for Defendant listed below:

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/s/  
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